

REMARKS

In the Notice of Non-Compliant Response mailed May 8, 2007, the Office required Applicants to elect a single value for “n.” Applicants respectfully traverse this requirement and request reconsideration and withdrawal of the Notice.

As indicated at page 9, third and fourth full paragraphs of the present application, a preferred alkyl(hydroxystearoxy)stearate is sold under the tradename of Kester Wax K82P. As demonstrated by product information for Kester Wax K82P attached at Tab A, Kester Wax K82P “was created to mimic the complex polyester fraction of beeswax” and “contains a range of hydroxyl polyesters with an average chain length of 66 carbon atoms...” In fact, Kester Wax K82P is referred to as “synthetic beeswax.” (See, Tab A). Thus, Kester Wax K82P (synthetic beeswax), like natural beeswax, is a mixture of different components having different carbon chain lengths.

Requiring Applicants to elect a single “n” value of synthetic beeswax in this application is similar to requiring a patent applicant to elect a single component of natural beeswax for prosecution. Applicants respectfully submit that such a requirement would not exist for natural beeswax, so no such requirement should exist in the present application for synthetic beeswax. To require such an election in this case is unduly restrictive and does not accurately reflect the practical realities or properties of the elected synthetic wax.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the Notice.

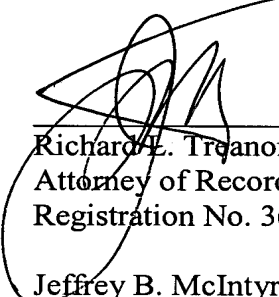
Nevertheless, in an attempt to facilitate prosecution in this case, Applicants have elected, with traverse, the species of C₂₀-C₄₀ alkyl(hydroxystearoxy)stearate (tackifying wax) in which the average value of n is 28.

Application No. 10/656,201
Response to Notice dated May 8, 2007

Applicants respectfully submit that the above-identified application is now in
condition for examination on the merits.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Attorney of Record
Registration No. 36,379

Jeffrey B. McIntyre
Registration No. 36,867

Customer Number

22850

Tel.: (703) 413-3000
Fax: (703) 413-2220

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Kester Wax K82P

This specialty wax was created to mimic the complex polyester fraction of beeswax, which gives beeswax its unique plastic properties.

Kester Wax K82P contains a range of hydroxy polyesters with an average chain length of 66 carbon atoms and is manufactured from natural fatty acids and synthetic fatty alcohols.

Kester Wax K82P gels most cosmetic oils producing good oil retention.

Incorporating Kester Wax K82P in stick and cream formulations improves film forming and plasticity, increasing the efficacy of active ingredients.

Kester Wax K82P suppresses the crystallisation behaviour of waxes like castor wax.

In combination with high melting waxes Kester Wax K82P can be used to increase the softening point of sticks and deodorants. Because of its special plasticizing properties the proportion of hard waxes (such as K80H) in a product can be increased.

Kester Wax K82P is compatible with inorganic pigments due to its polarity.

At room temperature this wax is very soft, tacky and pliable, despite its high melting point.

Specifications

Colour	: light yellow
Congealing point	: 78 - 84 °C
Acid value	: < 5 mg KOH/g
Saponification value	: 86 - 98 mg KOH/g
Penetration	: 30 - 60 (0.1 mm 25°C)

Form : slabs

INCI Name : Synthetic Beeswax

CAS : 71243-51-1

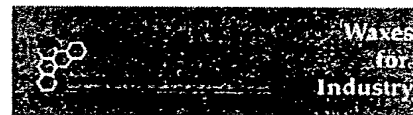
EINECS : 275-286-5



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ProductData

BRENNTAG

MPSI
Mineral and Pigment
Solutions, Inc.
Wax - Technical Grade
Kester Waxes -


Authorized Distributor:

Description:

Kester Waxes are long chain synthetic ester waxes prepared by the esterification of natural fatty acids with synthetic fatty alcohols. The primary advantages of the KE-

STER WAXES are their excellent oil gelling and oil binding capabilities, and the **KESTER WAXES** broad compatibility with lipid cosmetic ingredients.

Note: Specific product application recommendations are available on request.

Technical Information:
Kester Wax: K82H:

Kester Wax K82H is a hard, high melting point ester wax very similar to the monoester fraction of beeswax. This Kester wax has extraordinary oil-gelling capabilities, the Kester wax will gel silicone oils at very low percentages. K82H increases the softening point of sticks, and suppresses migration of oils, and will improve the homogeneity of the stick.

Applications:

Color Concentrates, Extrusion Lubricant, Moisture Barrier, Paints, Paraffin Modifiers, Printing Inks, Plastic Processing, Crayons, Textile Coatings, Furniture Coatings & Agro Chemical Coatings.

Kester Wax K82P:

Kester Wax K82P is a soft ester wax with properties similar to the complex polyester fraction of beeswax, the same fraction that gives beeswax its unique plastic properties. Incorporating Kester Wax K82P in sticks improves its film forming, adhesion and plasticity. Kester Wax K82P suppresses the crystallization of castor waxes and other triglyceride waxes. This high melting point wax is pliable at room temperature.

Applications:

Color Concentrates, Extrusion Lubricant, Moisture Barrier, Paints, Paraffin Modifiers, Printing Inks, Plastic Processing, Crayons, Furniture Coatings & Agro Chemical Coatings.

Kester Wax K82D:

Kester Wax K82D is a high molecular weight dimer acid ester with very strong gelling properties in oils. Kester Wax K82D has application in anhydrous systems due to its amorphous nature. Kester Wax K82D is a replacement for mineral waxes such as: paraffins, microcrystalline, ceresines, and ozokerite waxes in most anhydrous applications.

Applications:

Gels and Thickening Agent for Solvents (mineral wax replacements), Inks, Resin & Paraffin Blends.

Trade Names

Kester Wax K82H
Kester Wax K82P
Kester Wax K82D

INCI/CTFA Names

Synthetic Beeswax
Synthetic Beeswax
Synthetic Wax

Information presented herein is believed to be accurate and reliable but is not intended to meet any specification and does not imply any guarantee or warranty by Mineral and Pigment Solutions, Inc. (MPSI). For more information and assistance, contact Technical Services at 1-800-732-0562.

• Mineral and Pigment Solutions, Inc. • 1000 Coolidge St. • South Plainfield, NJ 07080 •



ProductData

BRENNTAG **MPSI**Mineral and Pigment
Solutions, Inc.**Wax - Kester****Kester K-82P (154) Hydroxy Polyester****Koster Keunen, LLC***Waxes of Superior Quality Since 1852*

Authorized Distributor:

Description:

Kester Wax K82P is a soft ester wax that imitates the complex polyester fraction of beeswax, the same fraction that gives beeswax its unique plastic properties.

Incorporating Kester Wax K82P in sticks improves film forming, adhesion, plasticity, and melt point.

Kester Wax K82P suppresses the crystallization of certain waxes, such as castor wax.

Remarkably this high melting point wax remains pliable at room temperature.

Note: Specific product application recommendations are available on request.

TYPICAL PROPERTIES:

Laboratory Tests	Koster Keunen Specs.
Acid Value:	< 10
Saponification Value:	50 - 90
Melting Point:	75 - 85 °C
Penetration:	40 - 60, 100g, 5 sec @ 25 °C
Hydroxy Value:	38 - 48
Color:	Light Yellow to Light Tan

Cosmetic Applications :

Lipsticks, Lip balms, Creams, Lotions, Stick Pencils, Shave Creams, Mascaras, Makeups.

Industrial /Household Applications:

Color Concentrates, Extrusion Lubricant, Moisture Barrier, Paraffin Modifiers.

Regulatory:

INCI: C-20-40 Alkyl Hydroxystearyl Stearate

CAS#: 151661-95-9

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